IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.1450 of 2006.
IN
FIRST APPEAL NO.1905 OF 2006.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri V.N.Sagare for the Applicant.

Shri T.J.Mendon for the Respondent No.2.

CORAM : ABHAY S.OKA, J.

DATED : 12th October, 2007.

P.C.:

1. Heard the leaned Advocate appearing for the Applicant and the learned Advocate for Respondent No.2. As per the ad-interim order dated 14th August 2006, the 2nd Respondent has withdrawn a sum of Rs.1,00,000/- without security and further amount of Rs.1,00,000/- on furnishing adequate security.

2. The 2nd Respondent is permitted to withdraw a further amount of Rs.75,000/- on furnishing adequate security to the satisfaction of the learned Commissioner. The rest of the amount will have to be invested.

3. Hence Civil Application is disposed of by the following order:

i) There will be interim relief in terms of prayer clause (a). It will be open for the 2nd Respondent (Claimant) to withdraw a further amount of Rs.75,000/- on furnishing adequate security for the said amount to the satisfaction of the learned Commissioner.

ii) The balance amount deposited by the Applicant shall be invested in fixed deposit in any nationalised bank and the fixed deposit shall be renewed from time to time till the final disposal of the First Appeal.

iii) There will be no order as to costs.

Judge.